

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**BILLY J. TIDWELL,**

**PLAINTIFF,**

**VS.**

**CIVIL ACTION NO. 2:05CV27-P-B**

**JO ANNE B. BARNHART,  
COMMISSIONER OF SOCIAL SECURITY,**

**DEFENDANT.**

**FINAL JUDGMENT**

This matter comes before the court upon Plaintiff's Complaint seeking review of the final decision of the Commissioner of the Social Security Administration which denied the plaintiff's claim for a Period of Disability and for Disability Income Benefits under Title II of the Social Security Act [1-1] and the U.S. Magistrate Judge's Report and Recommendation that the Commissioner's decision be affirmed [14-1]. Upon due consideration of the plaintiff's Complaint, the transcript of the administrative proceedings, and the Report and Recommendation of the U.S. Magistrate Judge, the court finds as follows, to-wit:

The U.S Magistrate entered the Report and Recommendation on March 8, 2006. As stated therein, the deadline by which to file objections thereto was March 22, 2006. No objections were filed, nor was the court made aware of any desire for additional time to file objections. Nevertheless, the undersigned agrees with the U.S. Magistrate's Report and Recommendation that the Commissioner's decision denying disability benefits to the plaintiff should be affirmed. According, the court adopts and incorporates herein the Report and Recommendation.

**IT IS THEREFORE ORDERED AND ADJUDGED that:**

- (1) The final November 26, 2004 decision of the Commissioner of the Social Security

Administration denying Title II disability benefits to Billy J. Tidwell is **AFFIRMED**; therefore,

(2) The plaintiff's case is **DISMISSED WITH PREJUDICE**; and

(3) This case is **CLOSED**.

**SO ORDERED** this the 23<sup>rd</sup> day of March, A.D., 2006.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE